

Remarks/Arguments

The Office Action of February 4, 2004 and the references cited therein have been carefully studied and reviewed, and in view of the foregoing Amendment and following representations, reconsideration is respectfully requested.

The specification has been amended to correct minor errors, including those noted by the Examiner. Accordingly, it is respectfully requested that the objection to the disclosure be withdrawn.

Next, the indication by the Examiner of the allowability of the subject matter of claims 2 – 5 is hereby kindly acknowledged. Moreover, claims 2, 3 and 5 have been re-written in independent form. Therefore, claims 2 – 5 are seen to be allowable.


Finally, claim 1 has been amended so as to more clearly patentably distinguish the present invention over the reference to Oda et al. (USP 6,450,805). More specifically, claim 1 now sets forth that the cover 20 (FIG. 3) is that part of the baking apparatus of the present invention that covers and seals the upper part of the baking chamber 10 (par. [0105] of the specification). Also, the cover is claimed as having an inner surface spaced above the hot plate. Still further, film 30 is now claimed as extending over and being integral with

the inner surface of the cover 20. Thus, the film 30 is capable of increasing the rate of formation of a uniform temperature distribution in the chamber 10.

On the other hand, Oda et al. disclose a chill plate 30 that is slidable between a lid body 63 of an exhaust section and a hot plate 70 so as to absorb radiant heat from the hot plate 70. Although the chill plate may have black plate 96 in the form of a film of paint of the like, such a film is not integral with an inner surface of the lid body 63. Accordingly, the black plate 96 does not read on Applicant's claimed film of amended claim 1. As such, the Oda et al. reference can not anticipate claim 1 under 35 USC 102.

For the foregoing reasons, namely because claims 2 – 5 have been re-written in independent form so as to be allowable, and because claim 1 has been amended so as to patentably distinguish the present invention over Oda et al., the Amendment is seen to place the case in condition for allowance. Accordingly, early reconsideration and allowance of the claims are respectfully requested.

Respectfully submitted,
Volentine Francos, PLLC

For:  *Reg No 33289*
Michael Stone
Reg. No. 32,442

Date: May 3, 2004

12200 Sunrise Valley Drive, Suite 150
Reston, VA 20191
Tel. (703) 715-0870
Fax (703) 715-0877